

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Civil Action No. 5:23-CV-00059**

DAVIS BRADY, ET AL.,

Third-Party Plaintiffs,

v.

**JAMES ANDREWS AND JERRY
TROSTLE,**

Third-Party Defendants.

**Third Party Defendants,
Trostle and Andrews',**

**Notice of Withdrawal of the Motion to
Dismiss the Second Amended Third-Party
Complaint**

NOW COMES, Third Party Defendants, James Andrews and Jerry Trostle, and files their Notice of Withdrawal of the Rule 12 Motion to Dismiss Third Party Plaintiffs' Second Amended Complaint [D.E. 108].

This the 12th day of February, 2025.

**HEDRICK GARDNER KINCHELOE &
GAROFALO LLP**

By: /s/ John L. Wright
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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document, *Third Party Defendants' James Andrew' and Jerry Trostle's, Notice of Withdrawal of their Motion to Dismiss the Third Party Plaintiffs' Second Amended Complaint* with the Clerk of Court using the CM/ECF system which will send notification of this filing and an electronic copy of same to all counsel of record registered with the CM/ECF system as follows:

This the 12th day of February, 2025.

/s/ John L. Wright

John L. Wright